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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THOMAS D. JENSEN,

Plaintiff,

vs.

JAMES DZURENDA, et al.,

Defendants.

Case No. 3:19-cv-00178-MMD-WGC

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
TO FILE DISPOSITIVE MOTION**

Defendants, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, and Meredith N. Beresford, Deputy Attorney General, hereby move this Court for an extension of time to file dispositive motions. (First Request) This Motion is made and based upon Federal Rules of Civil Procedure 6(b)(1)(A), the attached Points and Authorities, the papers and pleadings on file herein, and such other and further information as this Court may deem appropriate.

MEMORANDUM OF POINTS AND AUTHORITIES

I. FACTUAL ANALYSIS

This is a *pro se* prisoner civil rights action brought by inmate Thomas Jensen (Plaintiff), asserting claims arising under 42 U.S.C. § 1983. Plaintiff alleges First Amendment retaliation, free exercise of religion and legal mail claims, an Eighth Amendment failure to protect claim, and Fourteenth Amendment equal protection and

1 due process property deprivation claims. Plaintiff sues multiple defendants for events
2 that purportedly took place while he was at Northern Nevada Correctional Center
3 (NNCC) and Ely State Prison (ESP). (*See* ECF No. 4 at 1.) Defendants respectfully
4 request an extension of time out from the current deadline (January 8, 2021) to file
5 dispositive motions in this matter.

6 The Deputy Attorney General who has been handling this matter, has recently left
7 the Office to deploy as a JAG officer for the United State Marine Corps. This has
8 necessitated the reassignment of this matter, as well as the rest of her case load. This
9 matter is in the process of being reassigned, and it is anticipated that the reassignment
10 will be completed by Friday, January 8, 2021. As a result of this need for reassignment,
11 Counsel currently lacks the time and resources to prepare and file a dispositive motion by
12 the deadline. Therefore, it is requested that the deadline be extended thirty days.

13 II. LEGAL ANALYSIS

14 Federal Rule of Civil Procedure 6(b)(1) governs extensions of time and provides as
15 follows:

16 When an act may or must be done within a specified time, the
17 court may, for good cause, extend the time: (A) with or without
18 motion or notice if the court acts, or if a request is made, before
19 the original time or its extension expires; or (B) on motion made
after the time has expired if the party failed to act because of
excusable neglect.

20 Defendants' request is timely and will not hinder or prejudice Plaintiff's case, but
21 will allow for a thorough opportunity to review the case through Summary Judgment.
22 The requested extension of time should permit the Defendants to file a well-researched
23 and proper dispositive motion in this case. In light of the short time from the departure
24 of the other deputy, it is respectfully asserted that a short extension is warranted.

25 III. CONCLUSION

26 Defendants request this Court extend the deadline for dispositive motions in
27 this matter. Defendants assert that the requisite good cause is present to warrant the
28 requested extension of time. The request is timely. Therefore, the Defendants request

1 additional time, up until Tuesday, **February 8, 2021**, to file a dispositive motion in this
2 matter.

3 DATED this 7th day of January, 2021.

4 AARON D. FORD
5 Attorney General

6 By: /s/ Douglas R. Rands
7 DOUGLAS R. RANDS, Bar No. 3572
8 Senior Deputy Attorney General

9 *Attorneys for Defendants*

10 IT IS SO ORDERED.

11 DATED: January 7, 2021.

12 Walter G. Cobb
13 UNITED STATES MAGISTRATE JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on this 7th day of January, 2021, I caused to be served, a true and correct copy of the foregoing, **MOTION FOR EXTENSION OF TIME TO FILE DISPOSITIVE MOTION**, by U.S. District Court CM/ECF Electronic Filing on the following:

Thomas D. Jensen #59748
c/o NNCC Law Librarian
Northern Nevada Correctional Center
P.O. Box 7000
Carson City, NV 89702
lawlibrary@doc.nv.gov

/s/ Roberta W. Bibee
An employee of the
Office of the Attorney General